

# Membership Balance Plan

<b>ENVIRONMENTAL PROTECTION AGENCY</b>
<b>1. FEDERAL ADVISORY COMMITTEE NAME</b> <i>State the legal name of the FAC</i> National Environmental Justice Advisory Council
<b>2. AUTHORITY</b> <i>Identify the authority for establishing the FAC</i> Agency Authority, Deputy Administrator approval document.
<b>3. MISSION/FUNCTION</b> <i>Describe the mission/function of the FAC</i> The National Environmental Justice Advisory Council (NEJAC) provides independent advice and recommendations to the Administrator about broad, crosscutting issues related to environmental justice. The NEJAC's efforts include evaluation of a broad range of strategic, scientific, technological, regulatory, community engagement and economic issues related to environmental justice. The major objectives are to provide advice and recommendations about EPA efforts to: a) Integrate environmental justice considerations into Agency programs, policies and activities; b) Improve the environment or public health in communities disproportionately burdened by environmental harms and risks; c) Address environmental justice to ensure meaningful involvement in EPA decision-making, build capacity in disproportionately-burdened communities, and promote collaborative problem-solving for issues involving environmental justice; d) Strengthen its partnerships with other governmental agencies, such as other Federal agencies and state, tribal, or local governments, regarding environmental justice issues; and e) Enhance research and assessment approaches related to environmental justice.
<b>4. POINTS OF VIEW</b> <i>Based on understanding the purpose of the FAC,</i> (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (b) consider identifying an anticipated relative distribution of candidates across the categories; and (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members The NEJAC will be composed of approximately 27 members who will serve as Representative members of non-federal interests, Regular Government Employees (RGE), or Special Government Employees (SGE). Representative members are selected to represent the points of view held by organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from among, but not limited to: community-based groups; industry and business; academic and educational institutions; State and local governments; indigenous organization and Federally-recognized tribal governments; and non-governmental and environmental groups, as deemed appropriate. Currently the membership is distributed as followed: Academia (4), Community Based Organization (6), Nongovernmental/Environmental Groups (6), Industry/Business (3), Tribal/Indigenous Government and Organizations (4), and State and Local Government (4)
<b>5. OTHER BALANCE FACTORS</b> <i>List any other factors EPA identifies as important in achieving a balanced FAC</i> Within each of the stakeholder representative categories, technical perspectives (such as public health, state/tribal environmental programs, community sustainability, socio-economic analysis, etc.) are sought that reflect the issues and subjects being evaluated by the Council. In addition, geographic and gender balance also are considered, as well as ensuring that representatives of affected communities participate. This approach ensures that the Agency considers a cross-section of those directly affected by, interested in, and qualified to discuss, creative and collaborative strategies to better address the human health and environmental protection needs of disadvantaged and underserved communities.
<b>6. CANDIDATE IDENTIFICATION PROCESS</b> <i>Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:</i> (a) describe the process (b) identify EPA key staff involved (by position, not name) (c) briefly describe how FAC vacancies, if any, will be handled by EPA (d) state the membership term limit of FAC members, if applicable

Approximately 8 months prior to expiration of committee members' terms the Designated Federal Officer (DFO) meets with EPA's Office of Diversity, Advisory Committee Management and Outreach (ODACMO) to discuss the outreach plan, establish a timeline, and other issues concerning the membership package. After approval of the outreach plan the DFO conducts outreach for new members in accordance with the plan.

Nominations are solicited in a number of ways. The DFO requests nominations through a series of outreach activities that include, but are not limited to, a Federal Register notice, announcements on the EPA Environmental Justice Listserv, mailings to constituency groups, announcements at public meetings, and referrals from EPA Headquarter and regional staff, as well as nominations from current and past members of the NEJAC. To encourage diversity yet maintain continuity, approximately one-third of the membership rotates off the NEJAC each year.

After a review of the pool of nominees, a determination is made to consider whether additional outreach is needed. Each candidate is researched to determine whether the person is a federally registered lobbyist. The DFO develops a draft grid of nominees, including at least one additional candidate for each point of view for the function the committee is to perform.

A balance review of the proposed membership is then conducted by ODACMO and the FACA Attorney. Different levels of EPA managers then review the draft package for questions or comments before the final package is prepared.

Formal letters of invitation to serve on the NEJAC will be extended by the Administrator or Deputy Administrator of EPA. This cycle will be repeated for any occurring vacancies. NEJAC members are usually appointed for a 3 year term. Generally, members may be reappointed for a total of 6 years.

#### **7. SUBCOMMITTEE BALANCE**

*Subcommittees subject to FACA\* should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different.*

*\*This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

EPA plans to use the process that is used to determine advisory committee member balance for the parent (Tier 1) Federal advisory committee for any Tier 2 subcommittee(s) that may be created.

#### **8. OTHER**

*Provide any additional information that supports the balance of the FAC*

Not applicable.

#### **9. DATE PREPARED/UPDATED**

June 26, 2014